

No. SE/P.W.D., B. & R./Karnal/606.—Whereas it appears to the Governor of Haryana that Land is likely to be needed to be taken by the Government at public expenses, for a public purpose, namely, for the constn. of a road Karnal Indri Ladwa road to Sanghoa app. road, it is hereby Notified that the land in the locality specified below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894, for all to whom it may concern. In exercise of the powers conferred by aforesaid section the Governor of Haryana is pleased to authorise the officer, for the time being engaged in the under taking with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within 30 days of the publication of this notification, file an objection in writing before the land Acquisition Collector, P.W.D. B&R Branch, Ambala Cantt.

SPECIFICATION

District	Tehsil	Village	Area in acres	Khasra No.
Karnal	Karnal	Sanghoa	8.66 (57 Bangar, Indri)	$\frac{57}{3, 4, 7, 8}$, 1,80, 181, 182

No. SE/P.W.D., B&R/Karnal/607.—Whereas it appears to the Governor of Haryana that land is likely to be needed to be taken by the Government, at Public expenses for a public purpose, namely, for the construction of a road from Karnal Indri Ladwa road to Garhi Gujran app. road, it is hereby notified that the land in the locality specified below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894, for all to whom it may concern. In exercise of the powers conferred by aforesaid section, the Governor of Haryana is pleased to authorise the officer, for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within 30 days of the publication of this notification, file an objection in writing before the land Acquisition Collector P.W.D., B. & R. Branch, Ambala Cantt.

SPECIFICATION

District	Tehsil	Village	Area in acres	Khasra No.
Karnal	Karnal	Garhi Gujran	(54 Bangar Indri) .44	$\frac{13}{18/3, 19/1, 19/2, 29, 30, 48.}$

No. SE/P.W.D./B.&R./Karnal/608.—Whereas it appears to the Governor of Haryana that land is likely to be needed to be taken by the Government, at public expenses, for a public purpose, namely, for the construction of a road from Karnal Indri Ladwa road to Garhi Sadan approach road, it is hereby notified that the land in the locality specified below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894, for all to whom it may concern. In exercise of the powers conferred by aforesaid section, the Governor of Haryana is pleased to authorise the officer for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within 30 days of the publication of this notification, file an objection in writing before the land Acquisition Collector, P.W.D., B. and R. Br., Ambala Cantt.

SPECIFICATION

District	Tehsil	Village	Area in acres	Khasra No:
Karnal	Karnal	Phusgarh	4.12	<div>2</div> <div>20/1, 20/2, 21/1, 21, 22</div> <div>7 9</div> <div>25 1, 21/2, 2/2, 8/1, 8/2,</div> <div>9</div> <div>8/3, 9/1, 9/2, 13/1, 13/2, 14/1</div> <div>9</div> <div>14/2, 16, 17/1, 17/2, 18, 25</div> <div>17</div> <div>20, 21</div>
Karnal	Karnal	No. 1, Bangar, Indri		<div>18</div> <div>1, 9, 10/1, to 10/3, 11, 12/1,</div> <div>18</div> <div>12/2, 16/1, 18/1, 18/2, 19</div> <div>24</div> <div>33/2, 56 to 66, 72, 73,</div> <div>1, 2/1 74/1, 74/2, 48,</div> <div>49, 75, 76, 68, 92 to 104, 120,</div> <div>123.</div>
Karnal	Karnal	Indri No. 46 Khadar Indri	1.82	<div>4 5</div> <div>6/1, 6/2, 7, 10, 11/1, 12/2, 19,</div> <div>5 7</div> <div>20, 22/1, 22/2, 23 20</div> <div>8</div> <div>3/1, 3/2, 4, 7, 8, 14, 15,</div> <div>8</div> <div>104, 146, 147,</div> <div>16/1, 16/2</div>
Karnal	Karnal	Garhi Sudan	2.27	40
		No. 10 Bangar Indri	8.21	16/12, 16/3

District	Tehsil	Village	Area in acres	Khasra No.
Karnal	Karnal	Phusgarh	4.12	41
				19, 20/1, 20/2, 21, 22/1,
				41
				22/2, 23/1, 23/2 24
				45
		No. 10 Bangar Indri		11/1, 11/2, 19/1, 19/2, 19/3, 20/1,
				45
				20/2, 22/1, 22/2, 23/1, 23/2, 24.
				46
				2, 3/1, 3/2, 4, 6, 7/1, 7/2, 8/1, 8/2/1,
				46
				8/2/2, 14/5, 14/6, 15/1, 15/2, 16,
				54
				2, 3/1, 3/2, 3/3, 4/1, 4/2, 5, 6, 7
				54
				59, 65, 70, 71, 195, 197, 200, 201, 207

(Sd.) . . . ,

Superintending Engineer,
Karnal Circle P.W.D. (B. & R.) Branch.

LABOUR DEPARTMENT

The 30th May, 1979

No. 11(112)3Lab-79/5459.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak in respect of the dispute between the workmen and the management of M/s Swatantra Bharat Woollen Mills, Panipat.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 3 of 1978

between

SHRI RAKESH SHARMA WORKMAN AND THE MANAGEMENT OF M/S SWATANTRA
BHARAT WOOLLEN MILLS, PANIPAT

Present :—

No one for the workman.

Shri Surinder Kaushal for the management.

AWARD

By order No. ID/KNL/533-77/581, dated 9th January, 1978 the Governor of Haryana referred the following dispute between the management of M/s Swatantra Bharat Woollen Mills, Panipat and its workman Shri Rakesh Sharma to this Court. for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of Industrial Disputes Act, 1947 :—

“Whether the termination of services of Shri Rakesh Sharma was justified and in order ? If not to what relief is he entitled ?

On receipt of order reference, notices were issued to the parties. The parties appeared and filed their pleadings. The workman did not state in his claim statement as to when he joined the service with the management and stated that his services were terminated on 1st June, 1976. The management in their written statement pleaded that the workman joined the management on 1st December, 1976 on probation for a period of 6 months only and worked only upto 31st May, 1977 his services were terminated being no longer required and that the termination of services on the expiry of the period of probation was fully justified and in order. In his rejoinder the workman stated that he was employed with the management from June, 1976 and his services were terminated on 1st June, 1977. On the pleadings of the parties the only issue framed was :—

(1) As per reference ?

The issue was framed on 4th April, 1978 and case fixed for the evidence of the management. The management had entered certain documents on the file and the workman admitted his signature on Ex.M-3, M-4, M-5, M-6, M-10, M-11 and M-12. The management produced MW-1. Shri Om Parkash Arora Accounts Clerk, Haryana Land Reclamation and Development Corporation, Karnal who stated on oath that formerly he was employed with the management from 1st September, 1976 to 21st July, 1978 and that Rakesh Sharma had come to him on 27th November, 1976 and wanted some job. On M.W-1 asking he made application Ex. M-1 which MW-1 put before the General Manager who ordered the appointment of the workman on probation for 6 months. He identified signature of the workman on Ex. M-1 and endorsement at point A and B on Ex. M-1 and stated that he issued appointment letter photo-stet copy of which is Ex. M-2. He verified the issuance of M-3 copy of servicing, he produced attendance register wherein he is shown to have joined the service on 1st December, 1976. He verified filling E.S.I. form copy Ex. M-4 and receipt from the E.S.I. office Ex. M-5 and stated that the workman worked upto 31st May, 1977. In his cross-examination he admitted Ex. W-1 and W-2 about lay off of the workman on 26th May, 1977 and 27th April, 1977 and Ex. W-3 charge-sheet for absenting from duty and receipt of Ex. W-4 reply of the charge-sheet. He denied the suggestion that the workman had not made application for appointment and also stated the suggestion to be incorrect that the order regarding appointment as probationer was not issued to him. On 25th September, 1978 the management moved an application for obtaining the specimen hand-writing and signature of the workman as the workman had denied his signature on a number of documents and management wanted to produce Hand-writing expert. The case was adjourned on the request of the workman and his representative Shri Anand Sharma wanted adjournment as the senior representative of the workman was ill and not present on 25th September, 1978. The case was adjourned for 3rd November, 1978 when no one appeared on behalf of the workman and Registered notice was sent to the workman for 4th December, 1978. On 4th December, 1978 Shri S.N. Vats appeared on behalf of the workman and the case was adjourned to 25th December, 1978. After some adjournments the case came up on 26th March, 1979 when no one appeared on behalf of the workman though the representative of both the parties had signed the order sheet in token of notice to them for 26th March, 1979 and consequently Ex-parte proceedings were ordered by me against the workman. The management examined their witness Shri Rattan Lal Mittal, General Manager of the management on S. A. as MW-2 who corroborated the statement of MW-1 and stated that the workman was employed under probation for a period of 6 months and his services were terminated on 31st May, 1977 when Ex. M-7 was issued under registered cover,—vide registration slip Ex. M-8. He further stated that the Engineering section of the concern where the applicant was engaged has been closed down by the management on 31st March, 1978 and intimation to that effect was sent to all the departments concerned including Labour Court and he produced the intimation letter Ex. M-9. He verified Ex. M-10 to M-12 as receipt from the workman. Ex-parte arguments were heard by me on 13th April, 1979. I have considered the evidence in this case and gone through the documents produced on the file and hold and answer the award that the termination of services of the workman was justified and in order and he is not entitled to any further relief.

Dated : The 30th April, 1979.

BABU RAM GOYAL,

Presiding Officer,
Labour Court, Haryana.

Ref. 3 of 1978, dated 30th April, 1979.

Endorsement No. 1177, dated 22nd May, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the I. D. Act.

BABU RAM GOYAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)3 Lab—79/5467.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding

Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/S Prince Potteries, Najafgarh Road, Bahadurgarh.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER- LABOUR COURT, HARYANA
ROHTAK

Reference No. 49 of 1978

Between

SARVSHRI MUNESHWAR- RAM MURAT, KEDAR, HARI CHAND AND SANWARU WORK-
MEN AND THE MANAGEMENT OF M/S PRINCE POTTERIES, NAJAFGARH ROAD, BAHADUR-
GARH

Present :—No one for the workman.

Sh. Darshan Singh, for the management.

AWARD

By order No. ID/RK/3-78/12112 dated 22nd March, 1978 the Governor of Haryana referred the following disputes between the management of M/s Prince Potteries, Najafgarh Road, Bahadurgarh and its workmen Sarvshri Muneshwar, Ram Murat, Kedar Hari Chand and Sanwaru to this Court for adjudication in exercise of the powers conferred by clause (c) of sub section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Sarvshri Muneshwar, Ram Murat, Kedar, Hari Chand and Sanwaru were justified and in order ? If not, to what relief are they entitled ?

On receipt of order of reference, notices were issued to the parties and parties filed their pleadings on which the following issues were framed by my Learned Predecessor on 20th September 1978 :—

1. Whether this Industrial Dispute does not fall under section 2(A) of the I.D. Act. If so to, what effect ?
2. Whether the termination of services of the workman by the management was justified and in order ?
3. If not, to what relief are they entitled ?

And the case was fixed for the evidence of the management. The management produced their evidence on 1st March, 1979 and examined Shri Darshan Singh, Proprietor and Manager of the management as M.W. 1 who stated that Ram Murat workman joined the factory on 1st March, 1977 and left on 31st May, 1977 after resigning and exhibited a photo-stat copy of the resignation as Ex. M-1. He produced a copy of the abstract from the attendance register Ex-M. 2 and he produced the payment of wages register also for inspection. According to him Muneshwar workman worked up to 13th July, 1977 and then resigned and he produced photo-stat copy of his resignation as Ex-M. 3. He also produced a photo-stat copy of the Voucher Exhibit M-4 showing payment of Ex-gratia bonus etc to the workman. He also produced his wages register for inspection and returned. He also produced vouchers Ex. M. 6 in respect of Shri Sanwaru, Exhibit M-7 in respect of Shri Kedar and Exhibit M-8 in respect of Hari Chand. He also produced resignation of Sanwaru Exhibit M-9 and a copy from the Muster-roll in respect of Shri Hari Chand, Sanwaru and Kedar Exhibit M-10. He also produced Exhibit M-11 reply to the demand notice of the workman and Exhibit M-12 demand notice of Sanwaru Muneshwar and Hari Chand, Kedar and Shri Ram Murat. The case was adjourned for remaining evidence of the management for 28th March, 1979 but on 28th March, 1979 Shri Karan Singh appeared for the workmen and obtained adjournment because Shri Onkar Parshad who was appearing on behalf of the workmen has since died. The case was adjourned to 13th April, 1979 when no one appeared on behalf of the workmen and Ex-parte evidence of the management was recorded. Shri Dhan Singh, General Secretary, Potteries Workers Union Bahadurgarh appeared as M. W. 2 and stated on oath that Sanwaru, Hari Chand and Kedar had tendered their resignations in his presence of their own free-will which were accepted by the management and verified his witness where on the resignation, photo-stat copy Exhibit M-9 and original resignation letter of Shri Hari Chand Exhibit M-13 and Kedar Exhibit M-14 and stated that the management made the payment of the dues to the workmen then and there. The workman having being proceeded Ex-parte on 13th April, 1979 did not produce any evidence. Ex-parte arguments heard by me on 13th April, 1979 and I give my issue wise findings as under :—

ISSUE NO. 1 :—The reference is in respect of 5 workmen. The demand notice Exhibit M-12 was submitted by all the 5 workmen jointly to the management and the conciliation proceedings were also in respect of all the 5 workmen jointly. Therefore it cannot be said that it is a case of dismissal of individual workman and this cannot fall under section 2A of the Industrial Disputes Act. No evidence has been led before me that the reference has been espoused by any substantial number of the members of the union to which these workmen may have belonged and therefore this reference is bad in law.

ISSUE NO. 2 :—So far issue no. 2 is concerned it has been proved by the management that the workman resigned from their job and the management did not terminate their services. The resignations were accepted by the management. Therefore the question of justiciability or otherwise of the termination of their services does not arise, and in these circumstances I decide issue no 2 in favour of the management and against the workmen and in the light of my above findings I decide issue no. 3 also and answer the award that the workmen having resigned their services are not entitled to any further relief.

Dated The 30th April, 1979

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana
Rohtak.

Reference No. 49 of 78 Dated, the 30th April, 1979
Endorsement No. 1179 The 22n May, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Deptts., Chandigarh as required under section 15 of the I. D. Act.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)3Lab-79/5468.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s Lal Woollen Mills, 18-Weaver's Colony, Panipat.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 111 of 1977

between

SHRI PARTAP SINGH WORKMAN AND THE MANAGEMENT OF M/S LAL WOOLLEN MILLS,
18-WEAVER'S COLONY, PANIPAT

Present :—

No one for the workman.
Shri Surinder Kaushal, for the management.

AWARD

By order No. ID/KNL/222-B-77/44741, dated 10th October, 1977 the Government of Haryana referred the following dispute between the management of M/s Lal Woollen Mills, 18-Weaver's Colony, Panipat and its workman Shri Partap Singh to this Court for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

“Whether the termination of services of Shri Partap Singh was justified and in order? If not, to what relief is he entitled?”

On receipt of order of reference, notices were issued to the parties. The parties filed their pleadings. The workman in his claim-statement stated that prior to termination of his services on 14th July, 1976 he was having 3½ years service to his credit and was drawing Rs. 295 P. M. The management in their written statement alleged that the workman was employed as a temporary worker only on 2th July, 1976 at Rs. 290 P. M. and he worked only upto 12th July, 1976 when his services were terminated being no longer required. During this period, he worked only for 8½ days when his salary of Rs. 79.50 less E.S.I. contribution i.e. Rs. 77 only were paid and account cleared. He was the junior most person and the workshop where he was employed was closed. On the pleadings of the parties the following issues were framed by my learned predecessor on 1st February, 1978 :—

- (1) Whether the workman concerned was employed purely as a temporary hand on 2nd July, 1976 and his services were terminated on 12th July, 1976 as having been no longer required?
- (2) As per reference?

And the case was fixed for the evidence of the management on 23rd November, 1978. No one appeared on behalf of the workman and was proceeded *Ex-parte* evidence of the management was recorded on 20th December, 1978. In their evidence the management produced their Accountant as M.W.-1 who produced the attendance register wherein he was shown as marked present from 2nd July, 1976 to 12th July, 1976 only and produced

photo-stat copy of the vouchers Ex. M-1 where in the payment of Rs. 77 towards wages for the month of July 1976 i. e. 8½ day; total amounting to Rs. 77 is shown to have been paid to him. The witness stated that the workman was employed on 2nd July, 1976 as temporary and worked upto 12th July, 1976 when he left after receiving his wages after full and final settlement. He stated that the work has been reduced further since 1977 and the factory lying closed.

The workman, applied for setting aside *Ex parte* proceedings on 26th December, 1978 and on his application. Notice was issued to the management for 25th January, 1979. On 25th January, 1979 the Presiding Officer was on leave. but neither the workman nor his representative appeared in the Court and sent a telegram requesting for adjournment of the case. The case was fixed for 26th March, 1979. Both the parties signed the order sheet in token of noting the next date. When the case was taken up on 26th March, 1979 no one appeared on behalf of the workman and thus his application for setting aside *ex parte* proceedings was rejected. The case was fixed for 3rd April, 1979. On 3rd April, 1979 it was again adjourned for 13th April, 1979. In the mean while the workman or his representative never appeared or made any application and therefore the evidence of the management alongwith the Attendance register and vouchers placed on the file it is clear that the workman worked only from 2nd July, 1976 to 12th July, 1976 with the management and in the absence of any rebuttal I hold that issue No. 1 has been proved by the management.

And for issue No. 2, I hold that the workman was employed only temporarily and worked for 8½ days only in the month of July, 1976.

I answer the award that the termination of service of Shri Partap Singh was justified and in order and he is not entitled to any further relief.

Dated : the 30th April, 1979.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endorsement No. 1178/Ref. No. 111 of 1977, dated 30th April, 1979 dated 22nd May, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 2nd June, 1979

No. 11(112)3 Lab-79/5658.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s Perfect Pack Ltd., Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD

References Nos. 151, 153, 161, 158, 157, 156, 155, 154, 162, 159, 152 and 160 of 1978

between

S/SHRI TEK CHAND, ASHOK, JAGAT SINGH, KAUSHALYA, KAMLESH, VEENA, TARA RANI,
SHEELA, ASHOK, SHANTI DEVI, MAHI PAL, KANTA. AND THE MANAGEMENT OF M/S
PERFECT PACK LTD., FARIDABAD

Present :—

Nemo, for the workmen.

Shri R. C. Sharma, for the management.

AWARD

By order No. FD/18-N-78/25943, dated 14th June, 1978, FD/18-N-78/25955, dated 14th June, 1978, ID/FD/18-N-78/26003, dated 14th June, 1978, FD/18-N-78/25986, dated 14th June, 1978, FD/18-N-78/25979, dated 14th June, 1978, FD/18-N-78/25973, dated 14th June, 1978, FD/18-N-78/25967, dated 14th June, 1978, FD/18-N-78/25961, dated 14th June, 1978, FD/18-N-78/26009, dated 14th June, 1978, ID/FD/18-N-78/2599, dated 14th June, 1978, FD/18-N-78/25949, dated 14th June, 1978 and ID/FD/18-N-78/25997, dated 14th June

1978 the Governor of Haryana referred the following dispute between the management of M/s Perfect Pack, Limited, Faridabad and its workmen, S/Shri Tak Chand, Ashok, Jagat Singh, Kaushalya, Kamlesh, Veena, Tara Rani, Sheela, Ashok, Shanti Devi, Mahi Pal and Kanta, to this Tribunal, for adjudication, in exercise of, the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of S/Shri Tak Chand, Ashok, Jagat Singh, Kaushalya, Kamlesh, Veena, Tara Rani, Sheela, Ashok, Shanti Devi, Mahi Pal and Kanta was justified and in order ?
If not, to what relief are they entitled ?

On receipt of the order of references, notices were issued to the parties. The parties appeared. The representative for the workmen prayed for an adjournment for filing claim statement which was granted. On the next date of hearing neither the workmen appeared nor his representative. The case was liable to be dismissed in default. Thereafter, the representative for the workmen moved an application for setting aside *ex parte* proceedings against the workmen. *Ex parte* proceedings were set aside and the cases were restored. All these cases were consolidated and it was ordered that proceedings shall be recorded in reference number 151 of 1978. Again the case fixed for filing claim statement by the workmen. On the next date of hearing. Again, neither the workmen nor his representative appeared and the cases again rendered itself liable to dismissal in default and it was so ordered. Award had not been given. But again on 30th April, 1979 the representative for the workmen appeared. The case was again fixed for 22nd May, 1979. On 22nd May, 1979 again neither the workmen appeared, nor his representative. The workmen applied for setting aside *ex parte* order of dismissal, — *vide* their application, dated 15th February, 1979 which the management replied on 30th April, 1979, but on the last date of hearing i.e. on 22nd May, 1979 none appeared for the workmen, hence his application for setting aside *ex parte* order of dismissal was also dismissed in default.

The conduct of the workmen and his representative shows that the workmen are not taking any interest in pursuing their dispute. The representative for the workmen some times appeared and at other times defaulted in appearance. The representative for the workmen moved application for setting aside *ex parte* order of dismissal two times and costly did not appear. This conduct of the workmen and of their representative clearly reveals that the workmen have not pursued their dispute. In the circumstances, I give my award that there is no dispute between the parties.

Dated.: the 23rd May, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 436, dated 28th May, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

K. K. SHARMA,
Commer. and Secy.

Dated the 8th June, 1979

No. 11(112)3-Lab-79/5840.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding Officer, Labour Court Rohtak in respect of the dispute between the workman and the management of M/s Prince Potteries Bahadurgarh (Rohtak).

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT HARYANA,
ROHTAK
Reference No. 152 of 1978
between

SHRI KANHAYA LAL WORKMAN AND THE MANAGEMENT OF M/S PRINCE POTTERIES,
BAHADURGARH (ROHTAK)

Present:—

No one for the workman.

Shri Darshan Singh for the management.

AWARD

By order No. ID/RYS/2-78/31597, dated the 11th July, 1978, the Governor of Haryana referred the following dispute between the management of M/S Prince Potteries, Badhadurgarh (Rchtak) and its workman Shri Kanhaya Lal to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-sec. (1) of section 10 of the Industrial Disputes Act, 1947.

"Whether the termination of service of Shri Kanhaya Lal, was justified and in Order? If not, to what relief is he entitled?"

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. The management in their Written-statement stated that a post of Supervisor was created by the management in anticipation of expansion in the factory and Shri Kanhaya Lal was employed on that post. The management failed to expand because of Labour problem and flood and the management abolished the post of Supervisor and as a result Shri Kanhaya Lal was relinquished from duty. They also stated that the workman has received an advance of Rs. 900 from the management on 15th June, 1977 and because of that advance he did not turn up in the factory to receive his dues. On the pleadings of the parties the following issues were framed by my Learned predecessor on 4th October, 1978:

- (1) Whether the post of the workman was abolished?
- (2) Whether the workman was retrenched as per law?
- (3) If issue No. 1 is not proved, whether the termination of services of the workman was justified and in order?
- (4) If not, to what relief is he entitled?

And case was fixed for the evidence of the management on 3rd November, 1978. The management produced Shri Darshan Singh, Administrative Officer of the management as MW-1 who stated on oath that the workman was appointed as Supervisor on 2nd April, 1973. His post was abolished after issue of one month notice on 29th October 1977 which was acknowledged by the workman. He produced Voucher M-1 showing payment of his wages as full and final payment for November, 1977 and also Exhibit M-2 for showing payment of Rs. 900 on 15th June, 1977. He further stated that the workman had requested the management alongwith Shri Dhan Singh for payment of Rs. 225 to the workman in full and final settlement and for adjusting the advance of Rs. 900 towards retrenchment compensation. In cross examination the witnesses stated that the workman was charge-sheeted, —vide Exhibit M-3. The chargesheet was replied by the workman vide Ex M-4. Appointment of Enquiry Officer Exhibit M-5 but stated that the charge-sheet had been withdrawn and closed their case.

The case was fixed on 3rd November, 1978 for the evidence of the workman to be produced on 4th December, 1978. Numerous adjournments were granted to the workman to produce his evidence but ultimately on 13th April, 1979 when no one appeared on behalf of the workman I had but no alternative except to proceed *Ex-parte* against the workman and closed the workman's right to produce evidence and heard *Ex-parte* arguments. My issues wise findings are under:—

Issue No. 1.

From the written-statement filed by the management and from Annexure B to the written-statement purporting to be letter terminating the services of the workman and the evidence of M.W. 1 and in the absence of any rebuttal evidence, I hold the issue No. 1 to have been proved and decide it in favour of the management.

Issue No. 2.

It has been stated by the M.W. 1 that the workman approached the management alongwith Shri Dhan Singh for payment of Rs. 225 in full and final settlement of the claim of the workman and for adjusting Rs. 900 loan towards retrenchment compensation. This statement about adjustment of the advance against retrenchment compensation has been objected to as here say and this plea was not taken in the written statement. The notice dated to be issued to the workman on 29th October, 1977 has not been produced. Even if it is believed that the advance of Rs. 900 was adjusted towards retrenchment compensation to cover condition of retrenchment as given in Section 25-F(b) it has not been shown whether the amount was actually adjusted. No notice in the prescribed manner has been served on the appropriate Government as required under section 25-F(c) of the I.D. Act but this is only an irregularity which will not vitiate the retrenchment as held by the Supreme Court in *Union of Journalists versus State of Bombay*;

(1964-I-LLJ-page 351-Supreme Court).

No evidence has been produced before me by the workman where by I can disbelieve the adjustment story. Particularly when the execution of voucher Exhibit M-1 is witnessed by Shri Dhan Singh and if the amount in adjusted toward compensation i.e. 15 days pay for each year of service for 5 years service at Rs. 225 P.M. will

amount to Rs. 562-50. Even if one month notice pay is included there in, the amount will still be less than Rs. 900. I therefore hold that the workman was retrenched and the outstanding advance was adjusted towards the retrenchment compensation etc. and nothing remained outstanding.

In view of my finding on issue No. 1 and 2 above I decide issue No. 3 and 4 against the workman and in favour of the management and answer the award that the workman is not entitled to any further relief.

Dated the 18th May, 1979.

BABU RAM GOYAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endst. No. 1294, dated 1st June, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under Section 15 of the I.D. Act.

BABU RAM GOYAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112) 3Lab-79/5841.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak, in respect of the dispute between the workmen and the management of M/s Hindustan National Glass and Industries Ltd. Bahadurgarh.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT
HARYANA, ROHTAK

Reference No. 16 of 1977

between

SHRI SHIV NATH PARSHAD WORKMAN AND THE MANAGEMENT OF M/S V. K. AND
COMPANY, BAHADURGARH CONTRACTOR C/O M/S HINDUSTAN NATIONAL GLASS
AND INDUSTRIES LTD., BAHADURGARH

Present :—

Dr. Shiv Nath Parshad for the workman in person.

Shri Ram Chandra for the management.

AWARD

By order No.—ID/RK/184-A-77/21898, dated 4th June, 1977 the Governor of Haryana referred of following dispute between the management of M/s V. K. and Company, Bahadurgarh Contractor C/o M/s Hindustan National Glass and Industries Ltd., Bahadurgarh and its workman Shri Shiv Nath Parshad to this Court. for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Shiv Nath Parshad was justified and in order? If not, to what relief is he entitled?”

On receipt of order of reference, notices were issued to the parties. The parties filed their pleadings and on the pleadings of the parties the following issues were framed by my Learned Predecessor on 31st October, 1977 :

1. Whether the workman concerned over stayed as sanctioned sick leave from 19th January, 1974 to 6th February, 1974 and his name was legally struck off the rolls of their employees by the management concerned on 12th March, 1974 as a result of his absence from duty from 7th February, 1974 till 11th March, 1974?
2. If not as per reference?

The parties produced their evidence but compromised the case and the workman on 13th April, 1979 made the following statement.

"I have received Rs 2000 today in the Court from the management in respect of my claim application no. 207 of 1977 and also Reference No. 16 of 1977 and having received the same. I do not want to pursue my claim application and reference. This sum of Rs 2000 has been received by me as my full and final claim of whatever relief. And I do not want my reinstatement and reference may be filed."

In the light of the statement I answer the reference and give my award that the termination of services of the workman is justified and in order and he is not entitled to any further relief.

BABU RAM GOYAL,

Dated 18th May, 1979 .

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endst. No. 1295, dated the 1st June, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

BABU RAM GOYAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)3 Lab.-79/5844.—In pursuance of the provision of section 17 of the Industrial Dispute Act 1947 (Act No. XIV of 1947)—the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Industrial Cable (India) Ltd., Lal Chand Nagar, Kila Zafargarh, District Jind.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK
Reference No. 193 of 1978.

Between

SHRI MOHINDER SINGH, WORKMAN AND THE MANAGEMENT OF M/S. INDUSTRIAL CABLE
(INDIA) LTD., LAL CHAND, NAGAR, KILAZAFARGARH, DISTRICT JIND.

*Present:—*No one for the workman.

Shri C.M. Lal, alongwith Shri B.D. Gulati, for the management

AWARD

By order No.ID/KNL/41-78/33812, dated 19th July, 1978 the Governor of Haryana referred the following dispute between the management of M/s. Industrial Cable(India) Ltd., Lal Chand Nagar, Kila Zafargarh District Jind, Haryana and its workman Shri Mohinder Singh to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act., 1947.

"Whether the termination of services of Shri Mohinder Singh was justified and in order? If not, to what relief is he entitled?"

On receipt of order of reference, notices were issued to the parties. The parties filed their pleadings. The management in their Written-statement submitted that Shri Mohinder Singh was employed as a Casual worker with effect from 12th July 1977 he met with an accident on 28th July, 1977 and was sent to Medical Hospital at Rohtak for treatment. He was treated there as an out-door patient. He did not join duties and continued to remain absent. He lost his lien on the post as per certified Standing Orders applicable to the Establishment. He again applied for fresh employment on 14th November 1977 concealing the previous employment and he was employed on 14th November, 1977 as a casual labourer and his services were dispensed with effect from 22nd February, 1978. During the period of employment he did not serve between 10th December, 1977 to 30th December, 1977. On the pleadings of the parties the following issues were framed by my Learned Predecessor on 20th September, 1978:—

1. Whether the workman concerned concealed the vital information at the time of securing employment with the management? If so, to what effect?

2. Whether the termination of services of the workman was justified and in order ? If so, not to what relief is he entitled ?

And case was fixed for the evidence of the management. After some adjournments the case came up on 10th May, 1979 when no one appeared on behalf of the workman and Ex-parte proceedings were ordered against him. The management produced their *ex-parte* evidence and examined Shri B.D. Gulati, Factory Manager as M.W-1 who made a statement on oath that the workman was employed from 12th July, 1977 as casual worker on daily wages on payment of Rs. 6-54. He met with an accident on 28th July, 1977 and was admitted to Medical College, Rohtak treated as out-door patient and did not join duties after treatment and he lost his lien because of continuous absence. He produced his application form for appointment alongwith appointment orders Ex- M-1 and copy of certified standing orders Ex-M-2. The witness further stated that on subsequent application for appointment he was employed with effect from 14th November, 1977—*vide* Ex. M-3. He produced Ex. M-4 to Ex. M-8 in their evidence. M-4 is a letter written to the Labour Officer-Cum-Conciliation Officer, Panipat and Ex. M-5 is its Annexure. Ex. M-6 is Attendance record in respect of the workman. Ex. M-7 is a copy from the wages register for the month of July, 1977 and Ex. M-8 a copy of paysheet of the workman for November, 1977, December 1977 and January, 1978. He also stated that the workman remained absent from 10th December, 1977 to 30th December, 1977. In his statement the witness stated that while submitting application form Ex. M-3 the workman did not mention the fact of his previous employment with the management and concealed the information that he had worked with the management in the past also. *ex-parte* arguments were heard by me. In the light of the above evidence and *ex-parte* proceedings against the workman, I give my issue wise findings as under:—

Li

Issue No. 1:—

The workman did not mention in his application form for employment on submitting on 14th November, 1977 that he had worked with the management previously also as he was required to give this information in Column No. 11 of the application form pertaining to past experience but I do not think that any vital information was concealed from the management while securing employment on 14th November, 1977 and leaving the experience column blank was of no effect.

Issue No. 2:—

But as he was appointed only as casual worker and as no evidence has been produced by the workman to substantiate his position that he was appointed permanently on job of permanent nature, I decide issue No. 2 against him and answer the award that the termination of services of Shri Mohiner Singh was justified and in order and he is not entitled to any further relief.

Dated 18th May, 1979.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endst. No. 1292, dated 1st June, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the I.D. Act.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 14th June, 1979

No. 11(112) 3Lab-79/5870.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s M. I. T. C. Spun Pipe Factory, Tigaon Road, Ballabgarh.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD
Reference No. 174 of 1976

Between

SHRI JAGAT SINGH WORKMAN AND THE MANAGEMENT OF M/S M.I.T.C. SPUN PIPE
FACTORY, TIGAON ROAD, BALLABGARH

Present :—

Shri Bhim Singh Yadav for the workman.
Shri H. P. Dua for the management.

AWARD

By order No. ID/FD/42-B-76/29277, dated 10th August, 1976 the Governor of Haryana referred the following dispute between the management of M/s M.I.T.C. Spun Pipe Factory Tigaon Road, Ballabgarh and its workman Shri Jagat Singh to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Jagat Singh has justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 25th April, 1977 :—

- (1) Whether the termination of services of the workman concerned was justified and in order ? If not, to what relief is he entitled ?
- (2) Whether the workman concerned abandoned the job of his own ?
- (3) Whether the workman is estopped from raising the dispute by his conduct ?

And the case was fixed for the evidence of the management. The management examined their Sectional Officer Shri Baldev Raj Dhingra as MW-1 and closed their case. Then the case was fixed for the evidence of the workman who examined a Head Clerk of the Labour Office, Ballabgarh as WW-1 and himself as WW-2 and closed his case. Then the case was fixed for arguments. Arguments were heard. I have gone through the evidence oral as well as documentary. My findings issueswise are as follows :—

Issue No. 1.—M.W.-1 stated that the workman had tendered apology,—*vide* Ex. M-3 for one of his previous acts of his mis-conduct, as he had obstructed other workmen also from doing their job. On the intervention of the police, the workman and others had agreed to do the work smoothly. Thereafter the workman began absenting from 23rd April, 1973 to 30th April, 1976 and thus abandoned his job of his own. The inference of abandonment on the part of the workman cannot be withdrawn. There was no reason as to why the workman should have abandoned his job. There were charges against the workman for his previous acts of misconduct, the management did not hold enquiry against him but rather took a plea that the workman became absent and thereby abandoned his job. This plea of the management does not convince. WW-1 the Head Clerk of the Labour Office of Ballabgarh has proved demand notice as well as conciliation proceedings. Conciliation Proceedings are Ex. W-2 in which the management has stated before the Conciliation Officer that on account of no work the workman was laid off and the management did not terminate the services of the workman. The plea of the management is not consistent. The management have stated before the Conciliation Officer that they were ready to keep the workman on duty on his previous wages, in case there was work in the factory. The management did not state before the Conciliation Officer that the workman absented himself and abandoned his job, rather they stated that there was lay off. Ex. M-4 is a letter from Sub-Divisional Officer of the management to this workman and others that they caused obstruction in the work on 23rd April, 1976 without bringing any of their difficulties to his notice and these workmen including the workman concerned threatened other workmen also and assaulted other workmen. As a result whereof the Sub-Divisional Officer had to report the matter to the police. This letter suggests that on account of some acts of misconduct, the management terminated the services of the workman without holding domestic enquiry into the acts of mis-conduct. Ex. M-3 is a letter from Sectional Officer of the management to the S.H.O. Ballabgarh which bears the signatures of the workman and other workmen also. All had assured the S.H.O. that no damage shall be done to any property of the management and the workman shall also work in discipline. There is apology also and a prayer that no action be taken against them. This letter is an admission of this workman and other workmen by which the workmen and others have asked for apology and assured for not doing any act of mis-conduct and for maintaining discipline. Ex. M-1 is a letter from some workmen to the Sub-Divisional Officer of the management reporting against this workman and four other workmen that the workman and another four workmen threatened them. By Ex. M-3, there was a compromise for settlement between the management and the workman and four other workmen that the work shall be done by the workman smoothly. This raised a presumption that the management also agreed not to take any action against this workman and four other workmen. Ex. M-2 is a letter from the Sub-Divisional Officer to the S.H.O. Police Station Ballabgarh reporting the acts of mis-conduct against this workman and four other workmen. In these circumstances, I am of the view that it was the management who terminated the services of the workman and the workman himself did not abandon his job. Although there were some acts of mis-conducts previously committed by the workman but the management had not held any enquiry into the acts of mis-conduct. Moreover Ex. M-3 suggests that the management had forgiven this previous act of misconduct and the workman had undertaken to do the work of the management smoothly and this workman was also one of those workmen. In these circumstances I think that the termination of services of the workman by the management was not justified. The management should have taken the workman and four other workmen on duty on 23rd April, 1976 when the workman assured the management and the S.H.O. Police, Ballabgarh,—*vide* Ex. M-3 that they shall discharge their duties smoothly. Thereafter this workman and four other workmen have signed—Ex. M-3. I, therefore, decide issue No. 1 against the management.

Issue No. 2.—The abandonment of job on the part of the workman is not proved and as such, I decide this issue against the management.

Issue No. 3.—There is no evidence of estoppel against the workman, rather in view of Ex. M-3 the workman is not estopped from raising this dispute, as there was a settlement before the S. H. O. Ballabgarh which was reduced in writing in Ex. M-3 and which is signed by the parties. As far as relief is concerned there were acts of mis-conduct on the part of the workman which even the workman and his four other associates had admitted,—*vide* Ex. M-3. There is a report to the police also by the management and some acts of misconduct on the part of the workman was there, although termination of his services was not justified. As discussed above, the workman is not entitled to back wages, as he himself has apologised,—*vide* Ex. M-3 which the management had granted. The language of Ex. M-3 clearly proves that. I, therefore, decide issue No. 3 against the workman.

As a result of my findings on the issues, I answer the reference and give my award that termination of services of the workman was neither justified nor in order. I set aside the said termination of services. The workman is entitled to be re-instated with continuity of service but without back wages. I order accordingly.

Dated the 30th May, 1979

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 450, dated 1st June, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 11(112)3Lab-79/5871.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad, in respect of the dispute between the workman and the management of M/s. Bharat Chemical Engineering Co., Daultabad Road, Gurgaon:—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 164 1977

between

SHRI NAND KISHORE WORKMAN AND THE MANAGEMENT OF M/S. BHARAT
CHEMICAL ENGINEERING CO., DAULTABAD ROAD, GURGAON.

Present :—

Shri Nand Kishore, workman in person.

Shri S. K. Yadav, for the management.

AWARD

By order No. ID/GG/325-77/45117, dated 14th October, 1977, the Governor of Haryana referred the following dispute between the management of M/s. Bharat Chemical Engineering Co., Daultabad, Road Gurgaon and its workman Shri Nand Kishore, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Nand Kishore was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties following issues were framed on 3rd February, 1978:—

1. Whether the domestic enquiry has been held in accordance with principles of natural justice and is proper and just?
2. Whether termination of services of the workman was justified and in order? If not, to what relief is he entitled?

I had tried issue No. 1 first. I had decided issue No. 1 against the management and had held domestic enquiry as vitiated and fixed the case for further proceeding. Thereafter the parties appeared and the case was fixed for the evidence of the management. I had given opportunity to the management to prove their case on merits before me. Hence the case was fixed for the evidence of the management.

It was at this stage that a settlement was arrived at between the parties by which the workman agreed to receive a sum of Rs. 2,700 only from the management in full and final settlement of his dispute and agreed to give up his right of reinstatement or reemployment, if any. The management paid this amount to the workman,—vide voucher Ex. M-2. The settlement is Ex. M-1.

I, therefore, give my award in terms of the settlement that the workman has received a sum Rs. 2,700 from the management in full and final settlement of his dispute or his claims or dues and has forfeited his right of reinstatement or re-employment and there is no dispute between the parties and the termination of services of the workman by the management shall be deemed justified and in order and the workman shall not be entitled to any other relief.

Dated 30th May, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 446, dated 1st June, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11 (112) 3Lab-79/5872.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Gold Fild Manufacturing Company, Chander Nagar, Mohroli Road, Gurgaon :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 104 of 1978

between

SHRI RAM BABU, WORKMAN AND THE MANAGEMENT OF M/S GOLD FILD
MANUFACTURING COMPANY, CHANDER NAGAR, MOHROLI ROAD, GURGAON

Present :—

Shri S. K. Yadav, for the workman.
None, for the management.

AWARD

By order No. ID/GG/7-G-78/17352, dated 4th May, 1978, the Governor of Haryana referred the following dispute between the management of M/s Gold Fild Manufacturing Company, Chander Nagar, Mohroli Road, Gurgaon and its workman Shri Ram Babu, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Ram Babu was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The management did not appear. The case was fixed for recording *ex parte* evidence of the workman. Lastly the representative for the workman stated that he had no instructions from the workman and does not appear in this case. The conduct of the workman has rendered this case liable to dismissal in default. I, therefore, give my award that there is no dispute between the parties.

Dated the 30th May, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 445, dated 1st June, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.